

<b>Interview Summary</b>	Application No. 09/267,199	Applicant(s) BHAT ET AL.	
	Examiner Marjorie A. Moran	Art Unit 1631	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Marjorie A. Moran. (3) \_\_\_\_\_  
 (2) Holly Prutz. (4) \_\_\_\_\_

Date of Interview: 17 September 2002 .

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_ .

Claim(s) discussed: All pending .

Identification of prior art discussed: None .

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

- i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Marjorie A. Moran  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner stated that the proposed amendment would overcome rejections made under 35 USC 102, and all other rejections of claims 1, 2, and 10. The exmr and atny discussed what is meant by "consisting essentially of" and discussed rejections with regard to open claim language. Limitations reciting "encoding" a maize protein in claim 23 were also discussed. The exmr stated that evidence supporting that an elected nucleic acid sequence encodes any of the proteins recited in original claim 1 would be helpful in overcoming utility and some of the written description rejections. Ms. Prutz indicated that an appeal brief would be filed.